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2 IN THE UNITED STATES DISTRICT COURT  
3  
4 FOR THE NORTHERN DISTRICT OF CALIFORNIA

5 ELITEGROUP COMPUTER SYSTEMS, INC.

6 Plaintiff,

7 v.

8 KINTETSU WORLD EXPRESS HK,

9 Defendant.  
10 \_\_\_\_\_/

No. C 07-01744 CW

CONDITIONAL ORDER  
OF DISMISSAL

11  
12 The parties hereto, by their counsel, having advised the  
13 Court that they have agreed to a settlement of this cause,

14 IT IS HEREBY ORDERED that this cause be dismissed with prejudice;  
15 provided, however, that if any party hereto shall certify to this  
16 Court, with proof of service of a copy thereon on opposing counsel,  
17 within 90 days from the date hereof, that the agreed consideration for  
18 said settlement has not been delivered over, the foregoing Order shall  
19 stand vacated and this cause shall forthwith be restored to the  
20 calendar to be set for trial.

21 IT IS SO ORDERED.

22  
23 Dated: 1/3/08

*Claudia Wilken*

24 CLAUDIA WILKEN  
25 United States District Judge  
26  
27  
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